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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of
Implementation of Section 8 of
the Cable Television Consumer
Protection and Competition
Act of 1992

MM Docket No. 92-263

Consumer Protection and customer
Service

To: The Commission

REPLY COMMENTS OF HILLSBOROUGH COUNTY

HILLSBOROUGH COUNTY submits these reply
comments in the above-captioned proceeding.

HILLSBOROUGH COUNTY has reviewed the comments
submitted by the National Association of Telecommunications
Officers and Advisors, National League of Cities, United States
Conference of Mayors, and the National Association of Counties
("Local Governments") submitted in this proceeding.
HILLSBOROUGH COUNTY believes that the comments filed by Local
Governments accurately reflect HILLSBOROUGH COUNTY's position
on the implementation of Section 8 of the Cable Television
Consumer Protection and Competition Act of 1992 (the "1992

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Act"). Accordingly, HILLSBOROUGH COUNTY concurs with the comments filed by Local Governments and respectfully requests the Federal Communications Commission ("Commission" or "FCC") to consider carefully these comments.

HILLSBOROUGH COUNTY believes that the Commission should adopt a set of specific standards which will ensure adequate customer service throughout the country. The Commission-established standards should be self-executing and should apply to all cable systems as of the date of adoption of the standards by the FCC, without any further action to be taken by franchising authorities.

The general rule that the Commission-established standards will apply to all cable operators should be subject to three exceptions: (I) where a franchising authority determines to waive one or more of the FCC standards in favor of less stringent standards; (II) where the franchising authority has more stringent customer service standards already in place; or (III) where a franchising authority exercises its right to promulgate more stringent standards or standards not addressed by the FCC standards. In order to qualify for such an exception, a franchising authority should be required to

elect and implement one of the aforementioned exceptions within 120 days of the effective date of the Commission-established standards.

Franchising authorities should be primarily responsible for enforcing the Commission-established standards. The Commission, if necessary, could act as a final arbiter of disputes regarding such standards between franchising authorities and cable operators.

HILLSBOROUGH COUNTY believes that the Commission should establish comprehensive consumer protection rules. Customer service was a paramount concern of Congress in the passage of the 1992 Act. The legislative history of the 1992 Act is replete with testimony from cable subscribers, consumer groups and franchising authorities documenting customer service problems in both large and small systems. Hillsborough County has been able to minimize customer service problems by incorporating subscriber rights provisions into its franchise agreements that deal with such issues as response time and complaint process. (A copy of Hillsborough County's Standards is hereto attached as Exhibit A.)

HILLSBOROUGH COUNTY urges the Commission not to adopt the

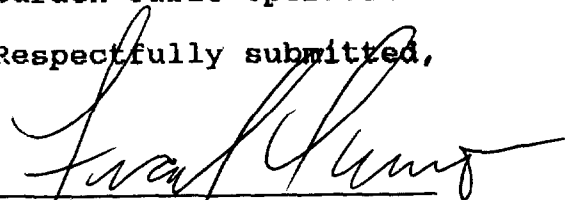
current voluntary NCTA standards. While the NCTA standards may provide a useful starting point in crafting a set of customer service standards, they are lacking in the following respects:

- 1) Any standards adopted should provide specific requirements for telephone availability and service response time for other than normal business hours (i.e. 8:00 a.m. - 5:00 p.m., M-F);
- 2) What constitutes "existing distribution system" with respect to standard installation should be more clearly defined to avoid confusion and future unnecessary technological disputes.
- 3) The issue of customer credits for missed service calls and failure to correct outages promptly are also not addressed. On the issue of missed service calls, Hillsborough County would submit that the Commission consider adopting a standard which would allow the cable operator to miss the first service appointment but would entitle the customer to a credit for monthly service should subsequent appointments be missed. Exigent circumstances such as force majeure, etc. could be

included to allow the cable operator some latitude on this issue. The County would submit the standards reflected in sections 12.1 and 12.6 of Exhibit A with respect to customer recourse for outages.

In summary then, HILLSBOROUGH COUNTY believes that the approach proposed by Local Governments, as filed in their comments, will ensure adequate customer service for cable customers in HILLSBOROUGH COUNTY as well as throughout the country, and will not unreasonably burden cable operators.

Respectfully submitted,



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SECTION 12. SUBSCRIBER AND USER RIGHTS

- 12.1 Subscriber's Right Upon Failure of Service: In the event that service to any Subscriber is interrupted for twenty-four (24) or more consecutive hours, except for reasons beyond the control of Franchisee and except in circumstances for which prior approval of the interruption is obtained from the County, Franchisee shall provide a pro rata rebate of monthly fees to any affected Subscriber upon such Subscriber request.
- 12.2 Protection of Subscriber Privacy: Franchisee shall agree to comply strictly with all provisions of the privacy policy as contained in the provisions of the Cable Communications Policy Act of 1984; Section 2520 of Title 18 of the United States Code; and all other pertinent federal, state, and local laws, regulations, or ordinances regarding invasion of privacy.
- 12.3 Subscriber Service:
- a. Franchisee shall use its best efforts to leave a "door hanger" complete with date in the event the Subscriber is not home when the repair person calls.
 - b. All of Franchisee's service vehicles will be clearly marked with Franchisee's name.
 - c. Franchisee's service technicians shall use their best efforts to contact the answering service in the morning and periodically throughout the day on Saturdays, Sundays and holidays for request for service calls and calls for repair service on Sundays and holidays shall be scheduled by service technicians according to normal repair service policies, on a first-come, first-served basis.
 - d. Franchisee shall use its best efforts to respond to cable television system outages twenty-four (24) hours a day with technical personnel and the Cable Television System's engineer.

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e. Franchisee shall use its best efforts to respond to complaints regarding any aspect of the Cable Television System operation or service within one (1) business day and resolve same within a reasonable period of time.

12.4 Franchisee shall use its best efforts to include information on the availability of parental control devices in information provided to potential customers and to Subscribers.

12.5 Service:

a. Franchisee's representatives shall have displayed in plain view an employee identification card bearing a picture of said representative.

b. Franchisee shall provide all prospective Subscribers with complete, clear, and concise written information concerning all services and rates provided upon solicitation of service and prior to the execution of any agreement for installation of cable television service. Such sales material shall clearly and conspicuously disclose the price and other information concerning all of Franchisee's services.

c. Franchisee shall use its best efforts to provide all Subscribers with information regarding billing and collection procedures, procedures for ordering changes in or termination of services, and refund policies.

12.6 Complaint Process: All complaints received from Subscribers shall be logged daily and responded to as soon as possible. In any event, the Franchisee shall respond to complaints as follows:

- System outage - same day response
- Premium channel outage - 12 hours response
- Single Subscriber outage - 24 hours response
- Single channel, single Subscriber - 48 hours response